

Order

Michigan Supreme Court
Lansing, Michigan

March 29, 2010

Marilyn Kelly,
Chief Justice

139563

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 139563
COA: 292127
Muskegon CC: 06-053510-FC

JAMES JONATHAN HIESTER,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the July 2, 2009 order of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Muskegon Circuit Court to determine whether sentence credit should be granted under MCL 769.11b for the time that the defendant was incarcerated during the extradition process prior to his return to Michigan. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining question presented should be reviewed by this Court.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 29, 2010

Corbin R. Davis

Clerk